

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re: James Brent Ferrell	SSN ###-##-6545)	MOTION
Christina N. Ferrell	SSN-###-##-6572)	CHAPTER 13
)	
)	No: B 11-80514 C-13D
Debtor)	

The undersigned Standing Trustee respectfully moves the Court for a hearing on the following:

The Debtors filed a Chapter 13 Petition on March 28, 2011. The Debtors' §341 meeting was scheduled for May 6, 2011. The Debtors failed to appear at the scheduled §341 meeting and have failed to make the scheduled Plan payment.

The Standing Trustee respectfully recommends to the Court that this case be dismissed prior to confirmation for failure to attend the scheduled §341 meeting and for nonpayment, and that such dismissal shall be **WITH PREJUDICE**, as to bar the Debtors from seeking relief under Chapter 13 by the filing of a Chapter 13 petition or otherwise seeking relief under Title 11 of the United States Bankruptcy Code for a **PERIOD OF 180 DAYS** from the date of the dismissal.

Date: May 25, 2011
RMH:ltf

s/Richard M. Hutson, II
Standing Trustee

NOTICE TO INTERESTED PARTIES OF HEARING ON MOTION

You are notified that the foregoing matter will be heard before this Court at the Courtroom, Venable Center, Dibrell Building, Suite C280, 302 East Pettigrew Street, Durham, NC, on **July 7, 2011**, at 12:00 p.m.; at which time you may appear and offer your evidence. If you fail to appear, the motion may be taken as true and an Order entered accordingly.

Date: May 25, 2011

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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